

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.3559 OF 2006

24.2.2006

Between

Venuturla Suryanarayana Reddy, S/o.Chinna Anki Reddy

... Petitioner

And

The Special Deputy Collector, Land Acquisition, Kadapa and others.

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.3559 OF 2006

ORDER:

The petitioner is resident of Velidandla village of Lingala Mandal in Kadapa District. He allegedly owns the land in Survey No.172/B of Velindandla Village. He further alleges that the respondents started digging Lingala right canal of 40 feet width and 45 feet depth without acquiring the land of the petitioner and without issuing any notice to the petitioner. Therefore, he invokes the jurisdiction of this Court under Article 226 of Constitution of India seeking appropriate directions.

At the time of admission itself, the learned Assistant Government Pleader for Land Acquisition submits that the respondents started the work of construction of canal in the lands where the landlords are given consent, that wherever the landlords are not willing to give consent for giving advance possession, requisitions are made for initiating the proceedings under Land Acquisition Act, 1894 and that there is no digging of any canal in the petitioner's land as alleged. The submission made by the learned Assistant Government Pleader is recorded and this Court is of the opinion that the writ petition is filed on mere apprehension. If the petitioner is not willing to give consent to cooperate with the authorities for digging the irrigation canal, it shall be open to the respondents to acquire the land of the petitioner following due process of law.

The writ petition, with the above observations, is accordingly dismissed. There shall be no order as to costs.

(V.V.S.RAO,J)

February 24, 2006.

YS